

EXHIBIT 5

LIST OF NOTABLE HAVA VIOLATIONS

State official Defendants used federal monies to violate the “minimum requirements”¹ of HAVA in many ways, including but not limited to: (1) failure to require the prerequisite copies or forms of identification be submitted with mail-in ballots and/or included with voter registration by mail,² (2) failure to require proper identification and information from first-time voters in federal elections,³ (3) Failure to require proper execution of the required written affirmation for voters who vote by provisional ballot,⁴ (4) failure to permit the voter to verify and/or correct the votes selected by the voter on the ballot in an electronic voting system through a print-out of the ballot before the ballot is cast,⁵ (5) failures of the electronic voting systems to produce records with sufficient audit capacities,⁶ (6) failure to conform to the error rate standards issued by the Federal Election Commission,⁷ and (7) failure to implement provisions to ensure the voter registration records are accurate and updated regularly, which must include a “reasonable effort” to remove ineligible voters, and other violations.⁸

¹ See 52 U.S.C. § 21084 (subchapter III contains the “minimum requirements”)

² See § 21083 (specific minimum requirements).

³ *Id.*

⁴ See § 21082.

⁵ See § 21081.

⁶ *Id.*

⁷ *Id.*

⁸ See § 21083.